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10/23/02**Office of Intellectual Property Counsel  
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# FACSIMILE

Date: **October 7, 2002**  
Number of pages  
including cover sheet: **4**

**To:****Examiner Aaron J. Lewis**

Your Ref: **09/837,800**  
Phone:  
Fax No. **703-306-4520**

**From:****Karl G. Hanson**

Our Ref: **48317US033**  
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**Remarks:**

**Attached is a Communication with replacements pages 2 and 3 for the June 12, 2002  
Amendment.**

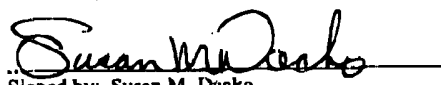
Patent  
Case No.: 48317US033

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor: JAPUNTICH, DANIEL A.  
Application No.: 09/837800 Group Art Unit: 3761  
Filed: April 18, 2001 Examiner: Aaron J. Lewis  
Title: FILTERING FACE MASK THAT HAS A NEW EXHALATION  
VALVE

**COMMUNICATION**

Commissioner for Patents  
Washington, DC 20231

CERTIFICATE OF TRANSMISSION	
To Fax No.: 703-306-4520	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on:	
October 2, 2002	
Date	Signed by: Susan M. Dacko

Dear Sir:


In accordance with the telephonic conference that occurred on October 1, 2002 (between Examiner Lewis and the undersigned), applicants have enclosed new pages 2 and 3 for the Amendment that was filed on June 12, 2002. As the Examiner indicated in the Office Action sent on September 20, 2002, applicants had canceled claims that also had been amended. The new replacement pages 2 and 3 to the Amendment eliminate this discrepancy.

Respectfully submitted,

October 2, 2002

Date

By:

  
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Case No.: 48317US033

the only one stationary portion of the flap so as to remain at rest during an exhalation and having a second segment that is associated with the only one free portion of the flexible flap so as to be lifted away from the seal surface during an exhalation, the second segment of the circumferential edge also being located below the first segment when the filtering face mask is worn on a person, the flexible flap being mounted to the valve seat such that the one free portion of the flap exhibits a curvature when viewed from the side in the closed position and is pressed towards the seal surface in an abutting relationship with it, under any orientation of the exhalation valve, when a fluid is not passing through the orifice.

45. The filtering face mask of claim 41, wherein the opening in valve cover is positioned directly in the path of fluid flow approximately parallel to the path traced by the second segment of the circumferential edge during opening and closing of the free portion of the flexible flap.

Please add the following claims 69-72 to this application:

69. The filtering face mask of claim 36, wherein the flap-retaining surface is not disposed substantially in the path of the exhale flow stream.

70. The filtering face mask of claim 33, wherein the orifice includes a plurality of openings, which plurality of openings are disposed within the orifice beneath the point where the flexible flap is mounted to the valve seat when viewing the filtering face mask from the front in an upright position.

71. The filtering face mask of claim 70, wherein the exhaled air passes primarily through a plurality of openings during an exhalation.

72. The filtering face mask of claim 71, wherein the valve seat includes a flap-retaining surface that is located outside the region defined by the plurality of openings.